

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DENNIS L. HAYES,

Defendant.

No. CR-22-84-GF-BMM

ORDER

Defendant Dennis L. Hayes (“Hayes”) filed a letter on January 20, 2023. (Doc. 41.) The Court will construe the letter as a motion. The motion states that Hayes “need[s] clarification” on the following issues: the definition and scope of “surface disturbance,” the role of the U.S. Forest Service (“USFS”) with respect to “legal mining,” when and under which regulatory provision USFS cited Hayes, and the courts’ authority to interpret the U.S. Constitution. (*Id.*) These questions are not properly before the Court in light of the January 6, 2023, Amended Judgment denying Hayes’s appeal. (Doc. 39.) The Court will deny Hayes’s motion. (Doc. 41.) Hayes may appeal the Court’s decision to the Court of Appeals for the Ninth Circuit.

ORDER

Hayes's Motion (Doc. 41) is **DENIED**. Hayes may appeal the Court's decision (Doc. 39) to the Court of Appeals for the Ninth Circuit.

DATED this 17th day of February, 2023.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive, flowing style.

Brian Morris, Chief District Judge
United States District Court